

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CARLOS LARA, on behalf of himself	:	
individually, and on behalf of all others similarly-	:	20 Civ. 5010 (LGS)
situated,	:	
	:	<u>ORDER</u>
Plaintiff	:	
	:	
-against-	:	
	:	
BROADWAY S/S INC., and AFTAB HUSSAIN,	:	
individually,	:	
	:	
Defendants.	:	
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LORNA G. SCHOFIELD, District Judge:

WHEREAS, the initial pretrial conference in this matter is scheduled for September 3, 2020, at 11:00 a.m.

WHEREAS, no significant issues were raised in the parties' joint letter or proposed case management plan. It is hereby

ORDERED that the September 3, 2020, initial pretrial conference is **cancelled**. If the parties believe that a conference would nevertheless be useful, they should inform the court immediately so the conference can be reinstated. The case management plan will issue in a separate order. The parties' attention is particularly directed to the provisions for periodic status letters, and the need for a pre-motion letter to avoid cancellation of the final conference and setting of a trial date. It is further

ORDERED that if Defendants seek to file a motion to dismiss, they shall file a pre-motion letter pursuant to Individual Rules III.A.1 and III.C.2. It is further

ORDERED, regarding settlement discussions, if and when the parties are ready to proceed with a settlement conference with the assigned Magistrate Judge or mediation in the

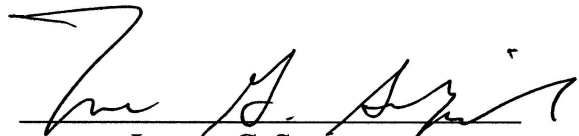
Court's mediation program, they shall file a joint letter on ECF requesting a referral. It is further

ORDERED that, given the lenient standard for conditional certification, *see Varghese v. JP Morgan Chase & Co.*, Nos. 14 Civ. 1718, 15 Civ. 3023, 2016 WL 4718413, at *5 (S.D.N.Y. Sept. 9, 2016) ("Plaintiff's burden is minimal because the determination that the parties are similarly situated is merely a preliminary one" (quoting *Lee v. ABC Carpet & Home*, 236 F.R.D. 193, 197 (S.D.N.Y. 2006))), the parties are directed to meet and confer regarding the possibility of stipulating to conditional certification and the form of notice, reserving all of Defendants' rights to object to any final certification under the more rigorous standard that applies at that stage. It is further

ORDERED that Plaintiff shall file any conditional certification motion by **September 25, 2020**, Defendants shall file any opposition by **October 9, 2020**, and Plaintiff shall file any reply by **October 16, 2020**. A conference will be held on **November 5, 2020, at 10:30 a.m.** for an oral ruling on Plaintiff's conditional certification motion, should one be filed. The requirement of filing pre-motion letters is waived.

The parties should be aware that the Court does not extend the deadlines for fact discovery absent compelling circumstances.

Dated: August 28, 2020
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE